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UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

In Re Applications of:)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No.: BRCT-940407KF
)	
For Renewal of License of)	
Station WTVE(TV), Channel 51)	
at Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	File No.: BPCT-94063KG
CORPORATION)	
)	
For Construction Permit for)	
a New Television Station to)	
Operate on Channel 51,)	
Reading, Pennsylvania)	

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Washington, D.C. 20554

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Reading, Pennsylvania)	

Room TWA-363
FCC
445 12th Street, N.W.
Washington, D.C. 20554

Wednesday,
June 14, 2000

The parties met, pursuant to the notice of the
Judge, at 9:37 a.m.

BEFORE: HONORABLE RICHARD L. SIPPEL
Administrative Law Judge

APPEARANCES:

On Behalf of Reading Broadcasting, Inc.:

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I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Micheal L. Parker. Sr.	1881	1882	2090	--	--

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Adams:</u>			
84	2022	2024	--
85	2038	2092	--
86	2041	2093	--

Hearing Began: 9:37 a.m.	Hearing Ended: 5:33 p.m.
Recess Began: 12:15 a.m.	Recess Ended: 1:35 p.m.

P R O C E E D I N G S

(9:37 a.m.)

JUDGE SIPPEL: Good morning.

ALL: Good morning, Your Honor.

JUDGE SIPPEL: Please be seated. Okay, we are on the record.

I'm told the courtroom has been -- the temperature in the courtroom should be two degrees cooler yesterday starting off anyway, starting off. So it should be more comfortable, hopefully.

I've got a couple of preliminary things. First of all, Ms. Friedman for tomorrow, has that been worked out?

MR. COLE: We have not heard -- I have not heard anything about --

JUDGE SIPPEL: Nothing definitive?

MR. COLE: Mr. Geolot, he was going to get in touch with here. The way we left it last night was he was going to get in touch with her, and then speak directly with her, and then confirm that in voice messages to Mr. Hutton and myself today. And I have heard nothing before I left the office today.

MR. HUTTON: I have heard nothing.

JUDGE SIPPEL: Okay.

MR. COLE: But certainly I can check with my office at lunch break and if something has come in, I'll so

1 advise everybody.

2 JUDGE SIPPEL: All right. Well, yes, I appreciate
3 that because if by noon we don't have a clarification on
4 this, I'll start having my legal tech make independent
5 inquiries, but right now I'm just assuming it's going to be
6 taken care of.

7 Okay, now, Mr. Hutton, did you get all of the
8 documents that were ordered produced under my order? I
9 think it was 00M37 that went out last Friday.

10 MR. HUTTON: Mostly. I'll let Mr. Southern
11 address that one.

12 JUDGE SIPPEL: Mr. Southern?

13 MR. SOUTHERN: It appears that we received the
14 document. We've got certain difficulties with the billing
15 records that we received. They seems to have been
16 substantially redacted, and there is no explanation why
17 there was a redaction, nor does it appear that your Order
18 No. 38 allowed redaction.

19 JUDGE SIPPEL: Well, what about the things that
20 are not redacted. Are they relevant to the subpoena? I
21 mean, do they pertain to this case?

22 MR. SOUTHERN: The billing records?

23 JUDGE SIPPEL: Yes.

24 MR. SOUTHERN: Yes, they do.

25 JUDGE SIPPEL: I'm assuming what was redacting

1 then was probably just not relevant, but I haven't reviewed
2 them.

3 MR. SOUTHERN: That would be -- that's a possible
4 conclusion. It's not supported by the document one way or
5 the other, although I note there are at least two entries
6 where they contain relevant information and then in the
7 sentence is broken up with the redaction, and it appears
8 that what's been redacted is clearly responsive and would
9 have been relevant, and there is no explanation why it was
10 redacted.

11 JUDGE SIPPEL: How many of these s have you now --
12 number-wise?

13 MR. SOUTHERN: It's not much at all. It's Bates
14 stamp No. DLABR 1 through 18.

15 JUDGE SIPPEL: So it's about 18. That would say
16 18 pages.

17 MR. SOUTHERN: Eighteen pages.

18 JUDGE SIPPEL: Well, okay.

19 MR. SOUTHERN: Your Honor, I don't mean to burden
20 you with additional material, but if you could review the
21 unredacted versions and make a determination as to what
22 could properly be produced, we would appreciate it.

23 JUDGE SIPPEL: I will undertake to do that. I'll
24 have -- when we break -- well, around the lunch break I will
25 have Mr. Hayes called, and I'm going to be getting a lot of

1 other documents to look at. I can look at those too.

2 MR. SOUTHERN: I appreciate it.

3 JUDGE SIPPEL: The way the others have been
4 described to me, this one should be -- the ones you are
5 talking about should be pretty easy.

6 MR. SOUTHERN: Yes.

7 JUDGE SIPPEL: Now, again, what you are responding
8 to is in furtherance of their June 12, there is a June 12
9 letter?

10 MR. SOUTHERN: That's right. It was at the office
11 and we got that yesterday.

12 JUDGE SIPPEL: Okay. But other than what you have
13 just pointed out, everything else seems to be in order?

14 MR. SOUTHERN: Seems to be, yes.

15 JUDGE SIPPEL: All right. Well, I'm sure you will
16 let me know if you find anything more.

17 MR. SOUTHERN: Absolutely.

18 JUDGE SIPPEL: Okay. What about this letter
19 dated -- now, I have a fax letter that came in this morning
20 from Mr. Hayes, and he did provide for me now the documents
21 that were in the miscellaneous file that really were not in
22 the miscellaneous file, but should have been in the
23 miscellaneous file. And there is two categories that I
24 received this morning, and one is category of some newspaper
25 articles with respect to the Monroe application.

1 I take it you have those?

2 MR. SOUTHERN: We've received those, yes.

3 JUDGE SIPPEL: All right. And then the other is
4 this letter dated March 26, 1999, from Mr. McCracken to Ms.
5 Goulke.

6 MR. SOUTHERN: That was also provided.

7 JUDGE SIPPEL: All right. Did you have that
8 before?

9 MR. SOUTHERN: We had the newspaper articles. I'm
10 sorry, I don't recall off the top of my head whether we
11 previously were provided the March 26th letter.

12 JUDGE SIPPEL: No, because that's from your
13 client. I mean, that's a letter from your client.

14 MR. HUTTON: I don't recall, Your Honor.

15 JUDGE SIPPEL: You don't recall ever seeing that
16 letter before?

17 MR. HUTTON: Oh, I've seen the letter.

18 JUDGE SIPPEL: Oh, alright.

19 MR. HUTTON: I don't recall if we had been
20 provided that letter by Telemundo previously.

21 JUDGE SIPPEL: Do you understand that -- you have
22 a copy of what he sent to me saying that these documents had
23 been previously produced to you on May 19th?

24 MR. SOUTHERN: Yes.

25 JUDGE SIPPEL: And you can confirm that as to the

1 newspaper articles but not as to the letter?

2 MR. SOUTHERN: I don't have with me what was
3 produced in their original production. My recollection is
4 that we did in fact receive the newspaper articles, but I
5 don't recall from my recollection alone whether we have --
6 whether we were provided with that letter.

7 JUDGE SIPPEL: All right. Well, let's just leave
8 it then. The point is, is that it's a letter from your
9 client to them. You certainly have knowledge of this
10 letter, so there is no need to pursue it anymore.

11 MR. SOUTHERN: No.

12 JUDGE SIPPEL: I had absolutely no idea what was
13 in that letter when I insisted that I look at it because I
14 was doing an in camera review of a document that referred to
15 it and there is no way that I can do that job if I don't
16 have everything that's in the package. I wasn't
17 particularly interested in that letter, but it certainly is
18 an interesting letter.

19 Has a copy -- I take it that Adams does not have a
20 copy of that letter?

21 MR. SOUTHERN: Well, it appears the fax was sent
22 to everyone.

23 JUDGE SIPPEL: Yes, but was there -- the fax might
24 have been sent to everybody, but were the enclosures sent to
25 everybody?

1 MR. COLE: Your Honor, if I could just interject,
2 yes.

3 JUDGE SIPPEL: You got them all then?

4 MR. COLE: Yes, that was yesterday.

5 JUDGE SIPPEL: So you have --

6 MR. COLE: The document today, I believe I saw
7 that last night, and it did have the newspaper articles and
8 the letter from Mr. McCracken to Ms. Goulke.

9 JUDGE SIPPEL: All right. Is that letter -- does
10 that letter -- well, let me ask this question.

11 The option that's referred to in the letter, it's
12 referred to in the form in which it was supposedly existed
13 on March 26th, and then another form which was suggested
14 that it should be changed into, still remaining an option.

15 Was that disclosed to the FCC? Was that put on
16 the record as the letter indicates it intended to do?

17 MR. HUTTON: Yes.

18 JUDGE SIPPEL: So I'm the only one really in the
19 dark. I mean, everybody else is pretty much on top of this?

20 MR. COLE: I certainly wouldn't characterize it
21 that way, Your Honor.

22 (Laughter.)

23 JUDGE SIPPEL: Okay, I hear you.

24 MR. SHOOK: I wouldn't go that far either because
25 usually we get ours after you do.

1 JUDGE SIPPEL: You know when I get mine.

2 All right. Yes, I should ask you too, yes, Mr.

3 Shook. Well, all right.

4 MR. SHOOK: I have seen nothing yet.

5 JUDGE SIPPEL: You've seen nothing?

6 MR. SHOOK: All that means is it could be floating
7 around anywhere in the office. Some day it will return to
8 my mailbox. It hasn't yet.

9 JUDGE SIPPEL: All right. Well, it doesn't -- I
10 mean, see, again, I'm focused on the issues, the fact issues
11 in this case, and we're going to have -- we are going to
12 have Ms. Swanson testifying on Monday, and she's counsel for
13 Telemundo, and I am thinking more and more we should know,
14 the record should be very clear in terms of what the
15 relationships are between Telemundo and Reading vis-a-vis
16 her testimony.

17 I mean, this impacts on the -- you know, whether
18 we have an interested witness, a disinterested witness or
19 something in between, you know. That's the first thing that
20 popped in my mind when I saw this letter. I'll leave that
21 up to counsel for now. I'm not sure. I just haven't made
22 up my mind in terms of what I think should be done with it,
23 but I do think there should be some questions -- there
24 should be something developed on this record with respect to
25 Telemundo vis-a-vis Reading just for purposes of assessing

1 the credibility of the witnesses.

2 All right. We have a witness today, Mr. Michael
3 Parker. Mr. Parker is a returning engagement for you, sir.

4 MR. HUTTON: Yes, sir.

5 JUDGE SIPPEL: Are we ready to proceed?

6 MR. HUTTON: As far as I don't have anything.

7 JUDGE SIPPEL: All right.

8 MR. COLE: I have nothing further now, Your Honor.

9 JUDGE SIPPEL: Do you want to come forward and I
10 will administer the oath.

11 Whereupon,

12 MICHEAL L. PARKER, SR.

13 having been duly sworn, was called as a witness
14 and was examined and testified as follows:

15 JUDGE SIPPEL: Please be seated sir. And again,
16 if you want to pour your water before we start with the
17 questions.

18 (Pause.)

19 JUDGE SIPPEL: Okay. As you recall, I've been
20 monitoring this testimony on looking at your narrative
21 descriptions in your two trial briefs, and I will tell you
22 that it's very helpful.

23 MR. COLE: Well, thanks.

24 JUDGE SIPPEL: And I haven't been really terribly
25 surprised yet.

1 MR. COLE: Hopefully, you will not be surprised.

2 MR. SHOOK: At least not by Mr. Cole.

3 (Laughter.)

4 MR. COLE: Thank you for finishing that thought
5 for me.

6 DIRECT EXAMINATION

7 BY MR. HUTTON:

8 Q It is Micheal, that's M-I-C-H-E-A-L, L. Parker.

9 Q And do you have before you a document that's been
10 identified as Reading Exhibit 46 consisting of nine pages of
11 text followed by Attachments A through J?

12 A Yes, I do.

13 Q Is that your testimony in this case?

14 A Yes, it is.

15 Q Do you have any modifications to make to that
16 testimony at this time?

17 A None at this time.

18 MR. HUTTON: All right, Your Honor, I would move
19 for the admission of Reading Exhibit 46.

20 JUDGE SIPPEL: Did we put that in yet?

21 MR. HUTTON: Has it been received? Okay.

22 JUDGE SIPPEL: It's been marked and received.

23 MR. HUTTON: All right.

24 In that event, the witness is available for cross-
25 examination.

1 JUDGE SIPPEL: Very well. Mr. Cole?

2 MR. COLE: Thank you, Your Honor.

3 CROSS-EXAMINATION

4 BY MR. COLE:

5 Q Good morning, Mr. Parker.

6 A Good morning.

7 Q Sir, refer, please, to your testimony to which you
8 have just affirmed. I have a couple of clarifications that
9 I would like to get into the record.

10 With respect to page 1, paragraph 2, that consists
11 of a list of broadcast stations in which you have held
12 attributable interest.

13 Do you see that list?

14 A Yes, I do.

15 Q What I would like to know is the date or at least
16 the approximate date on which you first saw FCC approval to
17 acquire the attributable interest in each of those stations.
18 And I can, you know, take you through them one at a time or
19 if you can do it just --

20 A No, we'd have to go through them one at a time.

21 Q Okay.

22 A They extend over an extended period of time.

23 Q Well, I understand that.

24 Well, let's start in. The first one listed is
25 WTVE, and I think it's pretty clear in the record of this

1 case that your name first appeared in an FCC application
2 about WTVE in August of 1991.

3 Is that what you recall? I'm not trying to trick
4 you. I think that's the 316.

5 A I wouldn't argue with you. But if that's when the
6 original 316 was filed, that would have been accurate.

7 Q Now, your next listed state in paragraph two of
8 your testimony is KWBB in San Francisco.

9 We have in the record and let me refer you to the
10 two notebooks. There is a gray loose-leaf notebook, and a
11 black binder there. The loose-leaf notebook is entitled
12 "Phase II Exhibits of Adams Communications Corporation."

13 A Yes, I have that.

14 Q And the black binder is entitled "Phase II
15 Documents for Official Notice of Adams..."

16 A Yes.

17 Q Fine. If you would refer in the gray notebook to
18 Adams Exhibit 50, you should find an application for
19 transfer and control of KWBB filed on March 2, 1989, by
20 William Andrlle for the firm of Schnader, Harrison, Seigel
21 and Lewis.

22 Can you tell me whether that application was the
23 first time that you sought FCC approval to hold an
24 attributable interest in KWBB?

25 I mean, I'm not trying to trick you, but this may

1 help your reference. If you would look -- now, I'm
2 referring to Adams' pagination, which was the pagination in
3 the lower right-hand corner of each of the pages, if you
4 look at Adams Exhibit 50, page 24, which is page 3 of
5 Exhibit Roman Numeral II, principals before the transfer and
6 after the transfer.

7 Are you on that page?

8 A I'm looking for -- that refers to a Exhibit II, so
9 I'm looking for the Exhibit II.

10 I don't believe that this would be accurate. No,
11 it is not.

12 Q When you say "this", what are you referring to?

13 A This is not the first time.

14 Q This is not?

15 Well, again, let me refer you to Exhibit 50, page
16 24, which is Exhibit Roman Numeral II to the West Coast
17 United Broadcasting From 315.

18 Are you on that page?

19 A Page 2?

20 Q Page 24.

21 A Oh, I'm sorry, 24.

22 Q Exhibit 50, page 24.

23 JUDGE SIPPEL: In the lower right-hand corner, it
24 has numbers.

25 THE WITNESS: Yes, I see it now, Your Honor.

1 JUDGE SIPPEL: Okay.

2 THE WITNESS: Thank you. Yes.

3 BY MR. HUTTON:

4 Q You are on that page?

5 A Yes.

6 Q Now, you will notice the second named individual
7 in that listing is Michael L. Parker --

8 A Yes.

9 Q -- with an address of 410th Street, Emunclaw,
10 Washington.

11 That's you, right?

12 A Yes, and that says before transfer.

13 Q Right.

14 A So if your question is was this the first time,
15 the answer would be no. The first time was when we applied
16 for the right to operate, which was some years previous to
17 this.

18 Q I see. So you had been an officer and director
19 before this, before this application?

20 A I believe so, yes.

21 Q This application does not show you to be a
22 shareholder either before or after this transfer. Am I
23 correct in that?

24 A I'm not sure that I was a shareholder, but I
25 believe I was an officer. I'd have to go back. You're

1 talking about events that transpired long time ago. I'd
2 have to go back to the original records.

3 Q Can you tell me approximately when it was that you
4 did file an application proposing yourself as a principal of
5 Station KWBB in San Francisco, or the permit which became
6 Station KWBB, approximate?

7 A It was some time in the mid 1980s, I believe.

8 Q That's fine. Thank you.

9 Okay, now, the next station listed in paragraph
10 two in your testimony is KPRR-TV in Honolulu.

11 A Yes.

12 Q Can you tell me when you first sought approval to
13 hold that attributable interest?

14 A Again, I'd have to go back to the records. It was
15 in the 1980s at some point.

16 Q Would you say early eighties, late eighties? Can
17 you put even a time frame on it?

18 A I'd say in the mid 1980s. But again, I'm only --
19 I could be off by years.

20 Q Okay. How about the next item -- strike that.
21 The next station listed, WHRC-TV, and again this is not
22 really a memory contest. I'm just trying to get the record
23 clear as to when you came into these properties.

24 If you will go to the gray notebook.

25 A Yes.

1 Q And Exhibit 51, I believe, consists of the
2 application, Form 315, pursuant to which you, through one of
3 your corporate entities, acquire a controlling interest in
4 WHRC?

5 A That would have been -- whatever the date of that
6 application is, that is.

7 Q The date of that application, I think we have all
8 agreed, is July of '91.

9 A That is correct.

10 Q Your next listed station is KORC-TV, Mount Baker
11 Broadcasting.

12 Can you tell us when you first applied for that
13 station?

14 A I believe, again, that was some time in the mid
15 1980s.

16 Q Were you one of the original --

17 A Yes.

18 Q Were you a principal of the original permittee of
19 that station?

20 A Well, originally, we applied for it when it was an
21 allocation, and there were a number of applicants, and we
22 settled with those applicants to form -- I think we merged
23 with one and settled with some others. And the dates are
24 what they are. I could be off. That could be early 1980s.
25 It was some time in that time frame.

1 Q And the next one up in your paragraph two is KTDY
2 in Anchorage, Alaska.

3 Can you tell us when you first sought FCC approval
4 to hold that?

5 A That would have been the early 1980s.

6 Q And next is KVMD in Twenty-nine Palms California.
7 Here again I think if you refer to Exhibit No. 53 in the
8 gray notebook, that's an application for -- 315, for
9 transfer of control of the permittee of KVMD to you
10 individually.

11 But would that be the first time that you sought
12 to acquire that interest?

13 A That is correct.

14 Q And that's -- I believe the record shows that that
15 was filed in June of 1992.

16 A That would be correct.

17 Q And finally, the last listed station --

18 A I'm sorry.

19 I think it's -- well, I think -- I'm not sure when
20 it -- the transfer here says February 1992.

21 Q Well, let me refer you to Adams Exhibit 53, page
22 2.

23 A Fifty-three, page 2.

24 Q And notice at the top of the page and slightly to
25 the right of center there is an FCC/Mellon stamp?

1 A Oh, yes, that's right, June 3rd.

2 Q So that would reflect it was filed on June 3rd.

3 It may have been executed earlier but --

4 A That is correct.

5 Q And last but not least, KCBI in Dallas, Texas, and
6 here let me refer you to Adams Exhibit 54 in the gray
7 notebook, which consists of an assignment application
8 proposing an assignment of the license of that station to
9 Two If by Sea Broadcasting, of which you were the president.
10 That application was filed on August 3, 1992.

11 Is that the first time that you sought to acquire
12 an attributable interest in that station?

13 A That is correct.

14 Q Thank you.

15 Now, in your testimony, Reading Exhibit 46, at
16 page 2, paragraph five. Do you have a copy of that?

17 A I'm sorry. Reading?

18 Q Reading 46.

19 A Page 2?

20 Q Paragraph five.

21 A Okay, I'm with you.

22 Q You indicate that you served as a consultant to a
23 considerable number of broadcast applicants, permittees, or
24 licensees.

25 Do you see that language?

1 A Yes.

2 Q Can you quantify what you mean by "a considerable
3 number"? How many is that?

4 A More than 10, I suppose.

5 Q Could you put an upper limit on it?

6 A I think that would be really difficult at this
7 point because you're talking about 20 years of history.

8 Q Well, I understand that.

9 A Okay.

10 Q What I am trying to get at --

11 A And then we'd have to talk about the definition of
12 it. Some of these, I was a principal in, but built for
13 consulting services, and so we have to define what we're
14 talking about.

15 But clearly, I have had experience with a large
16 number of broadcast properties.

17 Q And when you say "larger number", can you put a
18 number on that?

19 A Well, as I said, more than 10. I find that really
20 hard to quantify. I'd have to spend some real time thinking
21 about that.

22 Q Cay you say it would be more than fifteen?

23 A Probably, but again, I'm just -- I'd be guessing.
24 If you want to ask me that after lunch, I'll spend time
25 trying to remember everything. Or if you want me to spend

1 it now, I can take a break and think about it.

2 But I just -- you didn't ask me that in my
3 deposition. I didn't have -- I'd have to think about it for
4 a while.

5 Q Could you please describe the nature of the
6 consulting services you've provided that are described or
7 referred to in this paragraph five?

8 A Well, if you're talking about is this the San
9 Bernardino case, that I can tell you was the first
10 consulting project that I took on that was directly
11 consulting.

12 I had been a principal in some other applicants
13 and done work there. But this one was the first time that I
14 just did consulting work. And I basically worked to put the
15 investment group together, get the limited partner or the
16 general partner involved. I worked on a large -- on the
17 whole project A to Z.

18 Q How about with respect to the non-San Bernardino
19 clients of yours for whom you provided consulting services,
20 what types of consulting services did you provide them?

21 A Well, a lot of different services. At one point I
22 had 15 people working for me, as an example, when I was
23 starting out in the early days and we provided programming
24 consulting.

25 We provided -- in the early days of applications

1 of the commission people were required to have a budget of
2 how much it would cost to operate a station for 90 days.
3 And I remember consulting with four or five clients and
4 helping them develop that budget so that they could testify
5 basically that they had gone through and figured out how
6 many employees they would have to have and what they were
7 going to pay them, and what that budget would be.

8 I worked with people, I think the first TV station
9 I ever worked on, I worked on getting the tower site zoning
10 and getting tower site approved.

11 Q Which TV station was that, if you can recall?

12 A That was -- it was a TV station in Tacoma,
13 Washington. That's how I got started originally.

14 Q So you provided budgetary -- strike that.

15 You provided consulting on budgetary matters and
16 applications, you provided programming consulting. You
17 assisted in obtaining a tower site, did I understand that
18 correctly?

19 A That particular one. I have been working -- it
20 seems like I have been working on tower sites for 20 years.

21 Q Any other areas that you covered in your
22 consulting efforts for broadcast stations?

23 A Well, as I said, I think I said finances and
24 construction of the stations. It's kind of a -- I have to
25 say kind of a whole package of consulting services that

1 really went from A to Z in terms of the operation and
2 construction of TV stations and acquisition of licenses,
3 agency --

4 Q Acquisition of licenses from the FCC?

5 A That is correct.

6 Q Any applications of local authorizations as
7 necessary to construct --

8 A Yeah, for towers and building permits, that sort
9 of thing.

10 Q Did you actually -- you yourself personally
11 installed equipment as part of the construction aspect?

12 A No.

13 Q Not that part. A to W then.

14 A I could tell you who to hire though.

15 Q In paragraph five, the first sentence, you
16 indicate that served as a consultant since 1980.

17 Can you be more definite as to what your start
18 date was as far as being a consultant?

19 A Well, I was in the mayor's office, the mayor of
20 the City of Tacoma until, I think, I served as mayor until
21 1981. And some time in 1980, I decided I wasn't going to
22 run for reelection, and I formed a consulting firm and hired
23 one or two employees that worked for me for the last year I
24 was in the mayor's office.

25 And the day after I left the mayor's office, I

1 moved into a new office, and that was my new position
2 basically. I had a consulting firm that was doing a number
3 of things in the broadcast industry.

4 Q So you would have started your full-time
5 consultation work in 1981, but it was --

6 A But I had full-time employees in 1980.

7 Q I see.

8 A That is correct.

9 Q Now, over the course of your activities in the
10 broadcast industry starting in approximately 1980 - '81,
11 have you been represented by communications counsel?

12 When I refer to "you" in this case and throughout
13 my examination, please understand that I am talking about
14 you personally and any corporations that you are controlling
15 party to.

16 Okay, with that understanding --

17 MR. HUTTON: What do you mean by "controlling
18 party"?

19 MR. COLE: For example, if he is the sole
20 stockholder of the entity, if he is the shareholder who owns
21 a controlling voting interest in the entity. Those would be
22 two definitions of controlling party.

23 MR. HUTTON: Does this include Reading?

24 MR. COLE: Well, he can tell me if he wants,
25 whether he views himself in a controlling position.

1 BY MR. COLE:

2 Q But I am interested in knowing whether you have
3 been represented by communications counsel during the course
4 of your activities in the broadcast industry?

5 A I would believe that's an accurate statement.
6 Yes, I have been.

7 Q Can you identify the various -- strike that.

8 Can you identify communications counsel who have
9 represented you over the years?

10 A If you take the word "control" aside and just take
11 applications I have been involved in, that would make it a
12 lot easier.

13 Q That's fine. So qualified.

14 A Okay.

15 Q Feel free to answer the question.

16 A I think the first law firm that I was involved
17 with was Wiley Rein, and the second law firm I was involved
18 with was Schnader, Harrison, Seigel and Lewis.

19 Q Excuse me, Mr. Parker. We may be able to cut some
20 of this stuff off.

21 If in the course of going through the list of
22 counsel if you could give also a brief indication of the
23 nature of the project that they represented you on, that
24 would be helpful so we don't have to go back through all of
25 this again.

1 MR. HUTTON: I object to the form. I think it
2 compounds the questions unduly.

3 JUDGE SIPPEL: Rephrase it?

4 MR. COLE: Well, what I am trying to get at, Your
5 Honor, is have him give me a list of law firms and then I
6 need to go back through each law firm and say, "Can you give
7 me an idea of what projects that law firm represented you
8 on?"

9 I'm trying to cut to the chase by asking him to do
10 that as we are going through. If we went to do a
11 duplicative exercise, I'd be happy to do that.

12 JUDGE SIPPEL: Well, can you do that? Could you
13 name a law firm and then identify the project, the law firm,
14 identify the project?

15 THE WITNESS: I'll try to, Your Honor.

16 MR. COLE: Thank you. That would be great.

17 THE WITNESS: I think Wiley Rein was on that
18 Tacoma project that I talked about. Then the West Coast
19 United Broadcasting, Pacific Rim Broadcasting, they were
20 Schnader, Harrison, Seigel and Lewis was the law firm and I
21 believe, and I'd have to go back and review the documents on
22 this, but I believe that they transitioned to Sidley &
23 Austin at some point; same lawyers, Clark Wadlow, Bob Biser
24 and their associates. But I was really with them and they
25 were Schnader Harrison and then they moved to Sidley &

1 Austin, and I started out with Bob Biser and later
2 transitioned to Clark Wadlow. They represented Pacific Rim
3 Broadcasting.

4 I believe -- I'm not positive about Totem
5 Broadcasting. That may have started out with Weily Rein and
6 ended up with Schnader Harrison, but I really have to go
7 back and review records to come up with the -- one of those
8 two firms represented Totem Broadcasting.

9 Mount Baker was Schnader Harrison and then Sidley
10 & Austin, if -- it might have been Mount Baker ended before
11 they made that switch. I just don't recall.

12 Massachusetts Channel 46, Massachusetts
13 Redevelopment Company, and Two if by Sea Broadcasting were
14 represented by Brown, Finn and Nietert, by, I think, Sidley
15 & Austin, and maybe Schnader Harrison. I'm not sure. The
16 Boston project was -- Howard Topell's law firm was involved,
17 or no, no, wait a minute. Let me go back.

18 Massachusetts was -- it started out with Sidley &
19 Austin, or Brown, Finn & Nietert, Robin Nietert being the
20 partner that I dealt with, but originally I think I had
21 Marvin Mercer do work with him. He is not a communications
22 counsel but he had been involved with me in Reading
23 Broadcasting as bankruptcy counsel, and pretty much in the
24 initial stages that was a bankruptcy matter more than it was
25 a broadcasting matter.

1 Two If by Sea --

2 BY MR. COLE:

3 Q That was back at --

4 A Originally --

5 Q You refer to that as the Norwell proceeding?

6 A Yeah. Well, I started out -- my acquisition of
7 Norwell, I'd have to get into the history of it, but
8 basically the person I acquired it from had sold it and the
9 people had defaulted. He had reacquired 51 percent of the
10 company. He was a friend of mine. And I acquired that
11 license from him for a dollar and a warrant that if I was
12 successful in making money he would get paid his money.

13 And it was really more of a business transaction
14 rather than an FCC transaction, although we did file a
15 transfer application. And I don't believe that -- I believe
16 Brown, Finn & Nietert was his attorney and they did the work
17 on that and filed it, and Mr. Mercer worked with the, but I
18 don't think I had FCC counsel as such on that transaction.

19 Then Two If By Sea was represented by Brown, Finn
20 & Nietert in a radio transactions that I had in Dallas. I
21 think Clark Wadlow and Company were working for Reading
22 Broadcasting at the time, and were involved in that
23 transaction.

24 Q When you refer to "that transaction," you're
25 referring to the Two If By Sea CBI?

1 A Yeah, and they were representing -- they were
2 involved in it. I'm not sure who they represented at that
3 point.

4 I think that's pretty well go -- on Twenty-nine
5 Palms California -- and then I'm trying to remember who was
6 in Twenty-nine Palms. I think it was -- I'd have to go back
7 and look at that application. I don't know off the top of
8 head remember who it was, but I was, I'm sure, represented
9 by counsel there.

10 The Sacramento matter and Los Angeles and San
11 Francisco low-power stations, that was all Schnader,
12 Harrison/Sidley & Austin, depending who was what at that
13 point.

14 And I think that pretty well goes over who I have
15 listed here.

16 Q Thank you.

17 When you referred to a friend in the Norwell
18 application, was that Mr. Maggos, the transferor?

19 A Mangus, yes.

20 Q Mangus. I'm sorry.

21 And you mentioned that in the Mount Baker case you
22 were represented, you thought, by Sidley or the Schnader
23 group. Weren't you also represented by Mr. Root in
24 connection with Mount Baker?

25 A That is correct. He was -- he was the original --

1 well, no, wait a minute. I'm trying to remember who --
2 originally when we filed that I had an attorney, and that
3 may have been -- that may have been Wiley Rein originally.
4 Then there was an individual who filed against Mount Baker
5 in the same proceedings, and we merged, and Mr. Root was his
6 attorney and part of or negotiation was that he was so high
7 on Mr. Root, he wanted Mr. Root to continue, and that's how
8 I came to be represented by Mr. Root.

9 Q In Mount Baker?

10 A Yes.

11 Q You had not previously been represented by Root at
12 all?

13 A No, I didn't know him prior to that.

14 Q All right, Mr. Parker, you have obviously had
15 occasion over the course of your career to sign FCC
16 applications, and we discussed this in your deposition. I
17 just wanted to make sure I understood correct.

18 Am I correct in understanding that before you
19 place your signature on any application to be filed with the
20 FCC you review that application thoroughly and carefully to
21 confirm that all statements contained in it are true and
22 correct?

23 A To the best of my ability, yes.

24 Q And so if your signature does appear on an
25 application, that would indicate that you have reviewed the